

Remarks/Arguments:

Preliminary Matters

Claims 42-82 are presently pending in the above-identified application. Claims 42-67 were elected for examination and reconsideration of claims 42-67 is respectfully requested in view of the following remarks.

Claim Rejection Under 35 U.S.C. 102(e)

Section three of the Office Action recites that "Claims 42, 47-49, 52-53, 55, 57-58 and 63 are rejected under 35 U.S.C. §102 (e) as being anticipated by Tognazzini, US 6,295,482 B1." Applicant traverses the rejection of these claims and respectfully submits that these claims are allowable over Tognazzini for at least the reasons set forth below.

Independent claim 42 is directed to a wireless system for data communicating cashless vending transaction data and vending machine audit data to remote locations and includes at least one feature that is neither disclosed nor suggested by Tognazzini. The features of claim 42 include:

a vending machine controller interconnected with a vending machine, said vending machine controller further comprising a plurality of peripheral device interfaces;

a vending interface unit (VIU) interconnected with at least one of said plurality of peripheral device interfaces, said VIU effectuates cashless vending transactions and obtains vending machine audit data from said vending machine controller, said VIU further comprising a first transceiver; and

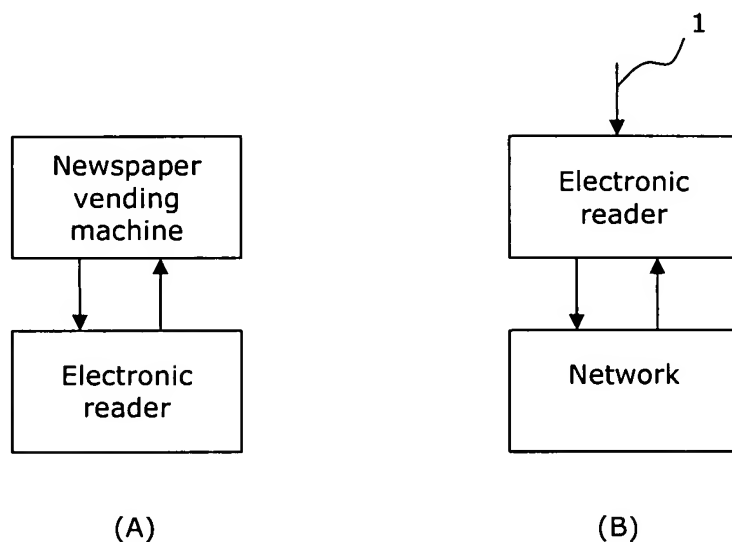
a base unit, said base unit further comprising a second transceiver, wherein said first transceiver and said second transceiver wirelessly data communicate, said base unit further comprising a communication interface for data communicating with a remote location;

wherein said VIU data communicates wirelessly with said remote location by way of said base unit.

This means that, in an exemplary embodiment, a vending interface unit (VIU) is interconnected with at least one peripheral device interface of a vending machine controller (VMC). The VMC is

interconnected with the vending machine. The VIU has a transceiver that wirelessly data communicates with a transceiver of a base unit. The VIU interconnected with the interface of the VMC wirelessly data communicates to a remote location by way of a communication device of the base unit. (See FIGs. 4 and 7; page 24, lines 9-20 and page 71, lines 15-27, for example.)

Tognazzini is directed to an electronic newspaper vending machine. Tognazzini does not disclose, teach, or suggest, that "said VIU data communicates wirelessly with said remote location by way of said base unit." Instead, as shown in FIGs. 1A-2B and described in column 1, line 60 - column 2, line 25; and column 5, line 49 - column 6, line 5, Tognazzini describes the following:



In operation (A), the electronic reader requests newspaper information from the vending machine and downloads an electronic newspaper. In operation (B), the electronic reader receives network access information 1 and connects to a network to download the electronic newspaper or browse it on-line. Tognazzini is silent as to "a wireless system for data communicating cashless vending transaction data and vending machine audit data to remote locations," let alone, "said VIU data communicates wirelessly with said remote location by way of said base unit" as recited in claim 42. Accordingly, applicant contends that the applied reference fails to meet all the features of claim 42. Thus, applicant respectfully submits that claim 42 is allowable and withdrawal of the rejection of claim 42 as anticipated by Tognazzini is respectfully requested.

Independent claim 63, while not identical to claim 42, includes features similar to the allowable features discussed above with respect to claim 42. Accordingly, applicant contends that independent claim 63 is also allowable over Tognazzini for at least the reasons set forth above and withdrawal of the rejection of claim 63 as anticipated over Tognazzini is respectfully requested.

Claims 47-49, 52-53, 55, and 57-58 include all the features of the independent claims from which they ultimately depend. Therefore, applicant contends claims 47-49, 52-53, 55, and 57-58 are also allowable for at least the reason their respective base claims are allowable. Accordingly, withdrawal of the rejections of claims 47-49, 52-53, 55, and 57-58 as anticipated by Tognazzini is respectfully requested.

Claim Rejection Under 35 U.S.C. 103(a)

Section five of the Office Action recites that "Claims 43, 50-51, 56, 59-60 and 64 are rejected under 35 U.S.C. §103(a) as being unpatentable over Tognazzini, US 6,295,482 B1 in view of Official Notice." Applicant traverses the rejection of these claims and respectfully submits that these claims are allowable over Tognazzini for at least the reasons set forth below.

As described above, Tognazzini fails to meet all the features of independent claims 42 and 63. Claims 43, 50-51, 56, 59-60 and 64 include all the features of the independent claims from which they ultimately depend. The Office Notice fails to make up for the deficiencies of Tognazzini with respect to independent claims 42 and 63. Therefore, applicant contends claims 43, 50-51, 56, 59-60 and 64 are also allowable for at least the reason their respective base claims are allowable. Accordingly, withdrawal of the rejections of claims 43, 50-51, 56, 59-60 and 64 as obvious over Tognazzini in view of Official Notice is respectfully requested.

Section six of the Office Action recites that "Claims 44 and 65 are rejected under 35 U.S.C. §103(a) as being unpatentable over Tognazzini, US 6,295,482 B1 in view of Aguayo, Jr. et al., US 6,285,856 B1." Applicant traverses the rejection of these claims and respectfully submits that these claims are allowable over Tognazzini and Aguayo for at least the reasons set forth below.

As described above, Tognazzini fails to disclose, teach, or suggest, that "said VIU data communicates wirelessly with said remote location by way of said base unit."

Aguayo is directed to a wireless two-way communication system between center and user stations. Aguayo does not disclose, teach, or suggest a wireless system and method of

"data communicating cashless vending transaction data and vending machine audit data to remote locations," let alone, "said VIU data communicates wirelessly with said remote location by way of said base unit" as recited in independent claims 42 and 63. Because neither Aguayo nor Tognazzini (either alone or in combination) discloses, teaches, or suggests all the features of independent claims 42 and 63, applicant contends dependent claims 44 and 65 are also allowable for at least the reason their respective base claims are allowable, and withdrawal of the rejection of claims 44 and 65 as obvious over Tognazzini and Aguayo is respectfully requested.

Section seven of the Office Action recites that "Claims 45-46 are rejected under 35 U.S.C. §103(a) as being unpatentable over Tognazzini, US 6,295,482 B1 in view of Bensky et al. US 6,859,761 B1." Applicant traverses the rejection of these claims and respectfully submits that these claims are allowable over Tognazzini and Bensky for at least the reasons set forth below.

As described above, Tognazzini fails to disclose, teach, or suggest, that "said VIU data communicates wirelessly with said remote location by way of said base unit."

Bensky is directed to accurate distance measurement using RF techniques. Bensky does not disclose, teach, or suggest a wireless system and method of "data communicating cashless vending transaction data and vending machine audit data to remote locations," let alone, "said VIU data communicates wirelessly with said remote location by way of said base unit" as recited in independent claim 42. Because neither Bensky nor Tognazzini (either alone or in combination) discloses, teaches, or suggests all the features of independent claim 42, applicant contends dependent claims 45 and 46 are also allowable for at least the reason their respective base claims are allowable, and withdrawal of the rejection of claims 45 and 46 as obvious over Tognazzini and Bensky is respectfully requested.

Section eight of the Office Action recites that "Claims 54 and 66 are rejected under 35 U.S.C. §103(a) as being unpatentable over Tognazzini, US 6,295,482 B1 in view of Cahalan, US 4,737,967." Applicant traverses the rejection of these claims and respectfully submits that these claims are allowable over Tognazzini and Cahalan for at least the reasons set forth below.

As described above, Tognazzini fails to disclose, teach, or suggest, that "said VIU data communicates wirelessly with said remote location by way of said base unit."

Cahalan is directed to a remote monitoring system receiver with a dual baud rate selector. Cahalan does not disclose, teach, or suggest a wireless system and method of "data communicating cashless vending transaction data and vending machine audit data to remote locations," let alone, "said VIU data communicates wirelessly with said remote location by way of said base unit" as recited in independent claims 42 and 63. Because neither Cahalan nor Tognazzini (either alone or in combination) discloses, teaches, or suggests all the features of independent claims 42 and 63, applicant contends dependent claims 54 and 66 are also allowable for at least the reason their respective base claims are allowable, and withdrawal of the rejection of claims 54 and 66 as obvious over Tognazzini and Cahalan is respectfully requested.

Section nine of the Office Action recites that "Claim 61 is rejected under 35 U.S.C. §103(a) as being unpatentable over Tognazzini, US 6,295,482 B1 in view of Johnson, US 6,804,252 B1." Applicant traverses the rejection of this claim and respectfully submits that this claim is allowable over Tognazzini and Johnson for at least the reasons set forth below.

As described above, Tognazzini fails to disclose, teach, or suggest, that "said VIU data communicates wirelessly with said remote location by way of said base unit."

Johnson is directed to an automatic reverse channel assignment in a two-way TDM communication system. Johnson does not disclose, teach, or suggest a wireless system and method of "data communicating cashless vending transaction data and vending machine audit data to remote locations," let alone, "said VIU data communicates wirelessly with said remote location by way of said base unit" as recited in independent claim 63. Because neither Johnson nor Tognazzini (either alone or in combination) discloses, teaches, or suggests all the features of independent claim 63, applicant contends dependent claim 61 is also allowable for at least the reason their respective base claims are allowable, and withdrawal of the rejection of claim 61 as obvious over Tognazzini and Johnson is respectfully requested.

Section ten of the Office Action recites that "Claims 62 and 67 are rejected under 35 U.S.C. §103(a) as being unpatentable over Tognazzini, US 6,295,482 B1." Applicant traverses the rejection of these claims and respectfully submits that these claims are allowable over Tognazzini for at least the reasons set forth below.

As described above, Tognazzini fails to meet all the features of independent claims 42 and 63. Claims 62 and 67 include all the features of the independent claims from which they ultimately depend. Therefore, applicant contends claims 62 and 67 are also allowable for at

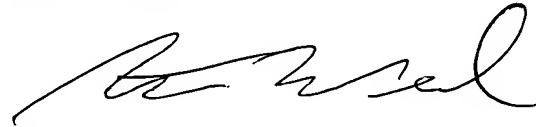
least the reason their respective base claims are allowable. Accordingly, withdrawal of the rejections of claims 62 and 67 as obvious over Tognazzini is respectfully requested.

Conclusion

In view of the above remarks, applicant submits that this application is in condition for allowance, which action is respectfully requested.

Respectfully submitted,

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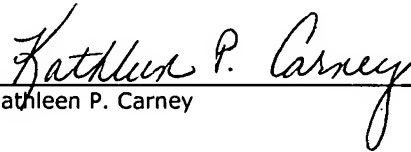
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The Director is hereby authorized to charge or credit Deposit Account No. **18-0350** for any additional fees, or any underpayment or credit for overpayment in connection herewith.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on September 5, 2007.



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